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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/768,231	01/25/2001	Makiko Nakao	1614.1117/HJS	3698

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EXAMINER

BRANT, DMITRY

ART UNIT

PAPER NUMBER

2655

DATE MAILED: 01/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/768,231

Applicant(s)

NAKAO, MAKIKO

Examiner

Dmitry Brant

Art Unit

2655

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 March 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All   b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) ✓
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) ✓
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5,7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. The U.S. patents of Nashida et al, Oikawa et al., and Degen et al. teach computer-based systems and hence the methods and computer code necessary to implement these systems are inevitably part of their teachings.

3. Claims 1-3, 5-9, 11-15, 17-18 are rejected under 35 U.S.C. 103(a) as being obvious over Nashida (5,845,248) in view of Oikawa et al. (5,396,577).

As per claims 1,7 and 13, Nashida et al. disclose the apparatus with a read-out region that is capable of performing text-to-speech conversion of text regions denoted by keywords and specified using "keyword/read-out region setting unit" (21, FIG. 2), (Col. 2, lines 31-48).

Nashida et al. do not disclose having a read-out section that performs "text-to-speech" conversion according to the second speech parameter until it finds a certain keyword.

Oikawa et al. teach a system for text-to-speech conversion comprising a "speed instruction generating unit" (13, FIG. 2) that allows to set different playback speeds for corresponding parts of the text (Col. 4, lines 47-53)

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Nashida et al. as taught in Oikawa et al., in order have several different read-out regions that are capable of playback at different speeds that would allow the user to quickly skim through certain sections of the text.

As per claims 2, 8 and 14, Nashida et al. do not disclose a system “wherein the first and second speech parameters respectively include at least one parameter selected from a group of a reproducing speed, volume and sound pitch.”

Oikawa et al. teach a system for text-to-speech conversion comprising a “speed instruction generating unit” (13, FIG. 2) that allows to set different playback speeds for corresponding parts of the text (Col. 4, lines 47-53)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Nashida et al. as taught in Oikawa et al. in order to specify various speeds for keyword regions, thus enabling the system to have several different read-out regions that are capable of playback at different speeds to allow the user to quickly skim through certain sections of the text.

As per claims 3, 9 and 15, Nashida et al. do not disclose a system comprising a “second specifying section which specifies the second speech parameter.”

Oikawa et al. teach a system for text-to-speech conversion comprising a “speed instruction generating unit” (13, FIG. 2) that allows to set different playback speeds for corresponding parts of the text (Col. 4, lines 47-53)

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Nashida et al. as taught in Oikawa et al. in order to provide a mechanism for specification of various speeds for keyword regions, thus enabling the user to specify several different read-out regions that are capable of playback at different speeds to allow for quick skimming through certain sections of the document.

As per claims 5, 11 and 17, Nashida et al. disclose the use of speech-synthesizing unit (26, FIG. 2) as part of the read-out process (Col. 5, lines 37 - 45)

As per claims 6, 12 and 18, Nashida et al. disclose the apparatus with a read-out region that is capable of performing text-to-speech conversion of text regions denoted by keywords and specified using the "keyword/read-out region setting unit" (21, FIG. 2), (Col. 2, lines 31-48).

Nashida et al. does not disclose specifying the keyword while the text is being read out and then beginning to read document according to a different parameter (speed, volume, pitch) until that keyword is found.

It would have been obvious to one of ordinary skill in the art at the time the invention was made that the "keyword setting unit" could (1) allow specification of new keywords and (2) change the parameters of the read text while the document is being read out. This is particularly obvious if the "keyword setting unit" is a software program running in parallel to the text-to-speech generating program and hence is not in the same control loop as the read-out portion of the system. Having "keyword setting unit" that is capable of registering new keywords during text read-out would allow the user to quickly modify the settings of the speech generating

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process without having to stop the process altogether, much like using the volume/speed control knobs on the stereo system.

4. Claims 4, 10 and 16 is rejected under 35 U.S.C. 103(a) as being obvious over Nashida (5,845,248) in view of Oikawa et al. (5,396,577), as applied to claim 1, and further in view of Degen et al. (5,386,493)

Nashida and Oikawa do not disclose a system that comprises “a section which carries out in advance at least a part of a speech data generating process with respect to the document for a document portion from the specified keyword and after, while the document is read out until the specified keyword; and a section which reads out the document portion from the specified keyword and after according to the first speech parameter, based on a result of the speech data generating process which is carried out in advance.”

Degen et al. teach the use of “double buffering” (FIG.5), (Col. 12, lines 26-55) that plays an audio segment from one of the buffers, while the new data is processed for output in the second buffer.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Nashida et al. and Oikawa et al. as taught by Degen et al. in order to allow the system to pre-process certain sections of the text requiring different parameters before they are read and output all sections in a continuous, coherent manner, without delays and quality degradation.

**Conclusion**

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Logan et al. (6,199,076) teach a system with a variety of user controls over the content and form of playback.

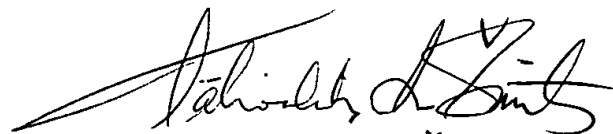
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dmitry Brant whose telephone number is (703) 305-8954. The examiner can normally be reached on Mon. - Fri. (8:30am - 5pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Talivaldis Ivars Smits can be reached on (703) 306-3011. The fax phone number for the organization where this application or proceeding is assigned to (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to Tech Center 2600 receptionist whose telephone number is (703) 305- 4700.

DB

12/24/03



TĀLIVALDIS IVARS ŠMITS  
PRIMARY EXAMINER